

**To:** Rothery, Deirdre[Rothery.Deirdre@epa.gov]  
**Cc:** Morales, Monica[Morales.Monica@epa.gov]  
**From:** Boydston, Michael  
**Sent:** Mon 4/11/2016 7:31:22 PM  
**Subject:** FW: U&O FIP: language for CBI-related finding email

Hi Dee –

I recall this discussion, but I can't find the follow-up email from Carl. Do you remember seeing it? (If he didn't send it, then we will need to get someone else to take care of it. I think that would be Monica, as acting in that position.)

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Michael Boydston

Associate Regional Counsel, EPA Region 8

303.312.7103

**From:** Boydston, Michael  
**Sent:** Monday, December 21, 2015 2:20 PM  
**To:** Daly, Carl <Daly.Carl@epa.gov>  
**Cc:** Rothery, Deirdre <Rothery.Deirdre@epa.gov>  
**Subject:** U&O FIP: language for CBI-related finding email

Hi Carl –

To document the findings regarding the information from minor source registration forms, an email should be sufficient. You could send it to Dee and me (and anyone else you like); saving it in EZ Records so that it will be preserved if needed later. I don't think it needs to go in the docket. Here's the language I'd suggest:

With respect to tribal minor source registration forms submitted for facilities within the exterior boundary of the Uintah & Ouray Reservation:

1. No business has claimed the information in these forms as confidential or privileged.

2. We do not know of any business that might be expected to assert a claim if it knew that EPA was proposing to disclose the information on the forms.

As we've discussed previously, the impact of the finding captured in the language above is that, under our regs, the information described is **not** CBI. Please let me know if you have any questions. Thanks.

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Michael Boydston

Associate Regional Counsel, EPA Region 8

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